

DEPARTMENT OF STATE LAW ENFORCEMENT

LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

PART 3. ~~BASIC~~ RECRUIT LAW ENFORCEMENT TRAINING PROGRAMS

****** Draft - Revisions******

(By authority conferred on the law enforcement officers training council by sections 9 and 11 of Act No. 203 of the Public Acts of 1965, as amended, and section 9 of Act No. 380 of the Public Acts of 1965, as amended, being §§28.609, 28.611, and 16.109 of the Michigan Compiled Laws)

~~R-28.4351~~ R 28.14301 Definitions.

Rule 301. As used in ~~these rules~~ THIS PART:

(a) "ACCREDITED COMMUNITY COLLEGE OR UNIVERSITY" MEANS A COMMUNITY COLLEGE OR UNIVERSITY THAT HAS BEEN ACCREDITED BY AN AGENCY OR ASSOCIATION THAT HAS BEEN RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION.

(b) "AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMY" MEANS A LAW ENFORCEMENT AGENCY THAT IS APPROVED BY THE COMMISSION TO PROVIDE AN APPROVED COURSE OF STUDY FOR QUALIFIED RECRUITS EMPLOYED BY THAT LAW ENFORCEMENT AGENCY.

~~(a) "Basic police training program" means the entire council approved training curriculum offered by a basic training school that allows a qualified graduate to be certified as a law enforcement officer upon employment.~~

~~(b) "Basic police training school" means an agency or institution that is approved by the council to offer the basic police training program.~~

~~(e c) "Basic police LAW ENFORCEMENT training school ACADEMY graduate" means a person who has completed the training and educational requirements of a council approved COMMISSION APPROVED basic police LAW ENFORCEMENT training program ACADEMY.~~

~~—(d) "Class" means students or trainees who are administratively grouped to begin a basic police training program.~~

~~—(e) "Course objective" means a behavioral statement that describes a knowledge, skill, or ability to be acquired during the basic police training program.~~

~~(f) "Course of study" means the organized course objectives which are approved by the council and which a recruit is required to complete before being certified as a law enforcement officer.~~

~~(g d) "Curriculum" means the overall plan of the content and specific materials of instruction that a basic LAW ENFORCEMENT training school is required to offer a recruit before qualifying the recruit for certification~~ COMMISSION MANDATED TRAINING OBJECTIVES THAT ARE TAUGHT IN A COMMISSION APPROVED BASIC LAW ENFORCEMENT TRAINING ACADEMY.

~~(h) "Employed recruit" means a police officer candidate who is hired by a law enforcement agency and who is enrolled in an approved basic training school.~~

(e) "EXECUTIVE COMMITTEE" MEANS THE COMMITTEE ESTABLISHED PURSUANT TO THE COMMISSION BY-LAWS.

~~(i) "Local basic training school academy" means a local law enforcement agency that is approved by the council to provide a basic training program for qualified employed recruits employed only within that local law enforcement agency.~~

~~(j) "Preservice recruit" means an individual who meets the entrance requirements and enrolls at his or her own expense in an approved regional basic training school and who is not employed by a law enforcement agency.~~

(f) "PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY" MEANS A COMMISSION APPROVED TRAINING AND EDUCATION PROGRAM OFFERED BY AN ACCREDITED COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY THAT INCORPORATES THE COMMISSION MANDATED CURRICULUM IN THE ACADEMIC COURSE OF STUDY.

(g) "PROGRAM ADMINISTRATOR" MEANS A PERSON WHO IS EMPLOYED BY A CITY, COUNTY, TOWNSHIP, VILLAGE, CORPORATION, COLLEGE, COMMUNITY COLLEGE, UNIVERSITY, OR STATE AGENCY AND WHO HAS THE AUTHORITY TO COMMIT THE AGENCY TO THE BASIC LAW ENFORCEMENT TRAINING ACADEMY PROPOSAL AND ANNUAL OPERATING PLAN. THE PROGRAM ADMINISTRATOR HAS MANAGEMENT AND OVERSIGHT AUTHORITY OF THE ACADEMY AND SHALL NOT BE THE SAME PERSON AS THE TRAINING DIRECTOR.

~~(k) "Recruit" means a student or trainee who is enrolled in a basic training program.~~

~~(l h) "Regional basic LAW ENFORCEMENT training school ACADEMY" means an agency or institution~~ A CITY, COUNTY, TOWNSHIP, VILLAGE, CORPORATION, COLLEGE, COMMUNITY COLLEGE, UNIVERSITY, OR STATE AGENCY that is approved by the ~~council~~ COMMISSION to offer a basic LAW ENFORCEMENT training program to preservice and ~~law enforcement personnel who are employed by any law enforcement agency~~ EMPLOYED RECRUITS. A regional basic LAW ENFORCEMENT training ~~school~~ ACADEMY is synonymous with regional training academy (RTA).

~~(m i) "Regional training academy" (RTA) is a synonymous term for "regional basic LAW ENFORCEMENT training school ACADEMY."~~

~~(n) "Repeat trainee" means a department's recruit who has been dismissed for any reason specified in R 28.4365 and who is re-enrolled by any agency within 1 year of the date of dismissal.~~

(j) "SATISFACTORY GRADE" MEANS A GRADE OF 70%, 2.0 ON A 4.0 SCALE, OR AN INSTITUTIONAL EQUIVALENT GRADE, OR BETTER IN EACH COURSE INCLUDED IN THE COMMISSION APPROVED COURSE OF STUDY IN A PRESERVICE COLLEGE BASIC TRAINING ACADEMY, UNLESS SPECIFIED OTHERWISE IN THESE RULES.

(k) "SESSION" MEANS RECRUITS WHO ARE ADMINISTRATIVELY GROUPED TO BEGIN BASIC LAW ENFORCEMENT TRAINING AT AN ACADEMY AT THE SAME TIME.

~~(p l) "Training and education advisory committee" means A GROUP COMPOSED OF KNOWLEDGEABLE INDIVIDUALS, INCLUDING law enforcement officials, participating in the ESTABLISHMENT, guidance, and evaluation of a council~~ COMMISSION approved basic LAW ENFORCEMENT training ~~school~~ ACADEMY.

(q m) "TRAINING DIRECTOR" MEANS THAT PERSON WHO IS RESPONSIBLE FOR THE DAY-TO-DAY OPERATION OF A BASIC LAW ENFORCEMENT TRAINING ACADEMY.

(n) "TRAINING OBJECTIVE" MEANS A BEHAVIORAL STATEMENT THAT DESCRIBES A KNOWLEDGE, SKILL, OR ABILITY TO BE ACQUIRED BY THE RECRUIT DURING THE DELIVERY OF THE BASIC LAW ENFORCEMENT TRAINING COURSE OF STUDY.

~~(p) "Training school" means an institution that is approved by the council to offer basic law enforcement training.~~

~~—(q) "Training session" means a block of training on a specific topic which is offered by a school within a given period of time and for which credit toward certification is given.~~

~~R-28.4352~~ R 28.14302 Establishment of local or regional basic COMMISSION APPROVAL TO ESTABLISH A BASIC LAW ENFORCEMENT training school ACADEMY; council approval required.

Rule ~~2~~ 302. ~~Council~~ COMMISSION approval shall be obtained by a city, county, township, village, CORPORATION, COLLEGE, community college, university, or state agency before establishing a local AN AGENCY or regional basic LAW ENFORCEMENT training program ACADEMY OR A PRESERVICE BASIC LAW ENFORCEMENT TRAINING ACADEMY.

~~R-28.4353~~ R 28.14303 Application for approval PROGRAM PROPOSAL TO ESTABLISH A BASIC LAW ENFORCEMENT TRAINING ACADEMY.

Rule ~~3~~ 303. (1) A city, county, township, village, CORPORATION, COLLEGE, community college, university, or state agency shall submit a written request PROGRAM PROPOSAL to establish a basic LAW ENFORCEMENT training school ACADEMY.

(2) The ~~application~~ WRITTEN PROGRAM PROPOSAL shall contain, at a minimum, all of the following.

(a) A statement that required facilities and equipment are available for recruits and instructors.

(b) A description of the duties, responsibilities, and membership of the training and education advisory committee.

(c) The name, address, and position of the ~~person~~ PROGRAM ADMINISTRATOR, who is responsible for establishing the basic LAW ENFORCEMENT training school ACADEMY.

(d) The name and title of the person who will be ~~responsible as~~ the training director. THE PERSON SELECTED TO BE THE TRAINING DIRECTOR SHALL COMPLY WITH THE QUALIFICATIONS AND REQUIREMENTS IN THE POLICIES AND PROCEDURES MANUAL.

(e) A description of the goals and objectives ~~for~~ OF the basic LAW ENFORCEMENT training program ACADEMY.

(f) A description of the nature and scope of the applicant's financial and philosophical commitment to the basic LAW ENFORCEMENT training program ACADEMY.

(g) A list of the rules governing recruit conduct beyond those established by the ~~council~~ COMMISSION.

(h) Identification of the requirements that an enrolled recruit shall meet, ~~in addition to~~ BEYOND the requirements established in ~~R-28.4363~~ R 28.14314, R 28.14315, OR R

28.14316, to successfully complete the prescribed course of study established by the applicant AS APPLICABLE.

(i) Identification of ~~curriculum~~, THE course of study, and training objectives that will be utilized by the applicant during ~~mandated~~ basic LAW ENFORCEMENT training ~~programs~~ ACADEMY SESSIONS.

(j) Authorization for the ~~council~~ COMMISSION to inspect all aspects of the basic LAW ENFORCEMENT training ~~program approved by the council~~ ACADEMY.

(k) IDENTIFICATION AND ~~description~~ DESCRIPTIONS of ~~affiliation~~ AFFILIATIONS with ~~other~~ agencies, colleges, and universities that will be a part of the basic LAW ENFORCEMENT training ~~program~~ ACADEMY.

(l) An estimate of the number of basic LAW ENFORCEMENT training ~~programs~~ ACADEMY SESSIONS that will be offered on a yearly basis.

(m) A STATEMENT DOCUMENTING THE NEED FOR ESTABLISHMENT OF THE PROPOSED ACADEMY THAT INCLUDES THE FOLLOWING:

(i) THE NEED BY LAW ENFORCEMENT AGENCIES IN THE PROPOSED SERVICE AREA.

(ii) THE PROSPECTIVE RECRUITS' NEED FOR THE PROPOSED ACADEMY.

(n) DOCUMENTATION OF SUPPORT FROM THE LAW ENFORCEMENT COMMUNITY FOR THE PROPOSED ACADEMY.

(o) A STATEMENT DESCRIBING THE METHOD BY WHICH PROSPECTIVE PRESERVICE AND PRESERVICE COLLEGE RECRUITS WILL BE SELECTED INTO THE ACADEMY.

~~(m)~~ p) The projected starting and graduation dates of the first basic LAW ENFORCEMENT training ~~program~~ ACADEMY ~~class~~ SESSION.

~~(n)~~ q) A definition of the geographical area that the proposed basic LAW ENFORCEMENT training ~~school~~ ACADEMY will serve.

~~(o)~~ r) A projection of how many recruits will be enrolled in the ~~program~~ ACADEMY on a yearly basis.

~~(p)~~ s) Verification that acceptable live-in facilities are available in the vicinity of the basic LAW ENFORCEMENT training ~~school~~ ACADEMY.

(t) THE COMMISSION MAY ADD REQUIREMENTS TO THE POLICIES AND PROCEDURES AS WARRANTED BY FUTURE CONDITIONS.

(3) THE ENTITY SUBMITTING THE PROGRAM PROPOSAL IN SUBRULE (1) OF THIS RULE SHALL DO ALL OF THE FOLLOWING WITH RESPECT TO THE TRAINING AND EDUCATION ADVISORY COMMITTEE DESCRIBED IN SUBRULE (2)(b) OF THIS RULE.

(a) THE TRAINING AND EDUCATION ADVISORY COMMITTEE SHALL BE APPOINTED PRIOR TO DEVELOPMENT OF THE PROGRAM PROPOSAL AND SHALL BE CONSULTED ON ALL ASPECTS OF THE APPLICATION.

(b) THE COMMITTEE SHALL APPROVE THE PROGRAM PROPOSAL BEFORE IT IS SUBMITTED TO THE COMMISSION. THE COMMITTEE SHALL BE CONSULTED ON A CONTINUING BASIS REGARDING THE OPERATION OF THE ACADEMY, IF THE PROGRAM PROPOSAL IS APPROVED BY THE COMMISSION.

~~(3)~~ 4) ~~When~~ IF the ~~council~~ COMMISSION determines ~~an~~ THE application is incomplete, an amended application WITH AMPLIFICATION OR CLARIFICATION shall be filed

within 30 days after the date of a request BY THE COMMISSION ~~for amplification or clarification.~~

(~~4~~ 5) Failure to comply with the provisions of subrule (~~3~~ 4) of this rule is grounds for denial of the application.

(6) AN APPROVED BASIC LAW ENFORCEMENT ACADEMY THAT FAILS TO CONDUCT AN ACADEMY SESSION FOR 3 YEARS SHALL BE REQUIRED TO SUBMIT A NEW PROGRAM PROPOSAL FOR COMMISSION APPROVAL TO RE-ESTABLISH ITSELF AS AN APPROVED BASIC LAW ENFORCEMENT ACADEMY.

R 28.14304 APPLICATION FOR APPROVAL OF A PRESERVICE COLLEGE BASIC TRAINING ACADEMY.

RULE 304. IN ADDITION TO THE REQUIREMENTS IN R 28.14303, AN APPLICATION FOR APPROVAL OF A PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY SHALL INCLUDE THE FOLLOWING:

(a) A LIST OF THE COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY RULES GOVERNING STUDENT CONDUCT BEYOND THOSE ESTABLISHED BY THE COMMISSION.

(b) A DESCRIPTION OF HOW STUDENTS WILL BE SELECTED FOR ACCEPTANCE INTO THE PRESERVICE COLLEGE BASIC TRAINING ACADEMY AT THE APPLICANT'S INSTITUTION.

(c) IDENTIFICATION OF HOW AND WHERE THE COMMISSION CURRICULUM AND ADDITIONAL COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY TRAINING OBJECTIVES WILL BE INCORPORATED INTO THE COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY COURSE WORK.

(d) IDENTIFICATION OF THE REQUIREMENTS THAT AN ENROLLED PRESERVICE COLLEGE RECRUIT SHALL MEET IN ORDER TO SUCCESSFULLY COMPLETE THE PRESCRIBED COURSE OF STUDY AT THE COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY.

R 28.14305 APPLICATION FOR APPROVAL TO ESTABLISH AN AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMY.

RULE 305. (1) THE APPLICATION OF A LAW ENFORCEMENT AGENCY THAT SEEKS TO ESTABLISH AN AGENCY BASIC LAW ENFORCEMENT TRAINING ACADEMY SHALL COMPLY WITH THE REQUIREMENTS OF R 28.14303, EXCEPT FOR R 28.14303(2) (b), (k), (m), (n), (o) AND (q).

(2) IN ADDITION TO THE REQUIREMENTS OF SUBRULE (1) OF THIS RULE, THE APPLICATION SHALL INCLUDE A STATEMENT DOCUMENTING THE NEED FOR ESTABLISHMENT OF THE PROPOSED ACADEMY BY THE LAW ENFORCEMENT AGENCY AND THE PROSPECTIVE RECRUITS' NEED FOR THE PROPOSED ACADEMY.

~~R 28.4354~~ R 28.14306 School ACADEMY requirements after approval.

~~Rule 4~~ 306. A city, county, township, village, CORPORATION, COLLEGE, community college, university, or state agency approved by the ~~council~~ COMMISSION to establish a basic LAW ENFORCEMENT training ~~school~~ ACADEMY shall do the following:

(a) SUBMIT FOR COMMISSION APPROVAL AN ANNUAL OPERATING PLAN TO OPERATE FOR THE COMING CALENDAR YEAR. THE PLAN SHALL BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE POLICIES AND PROCEDURES MANUAL. UPON APPROVAL, THE ANNUAL OPERATING PROPOSAL BECOMES THE ANNUAL OPERATING AGREEMENT.

(a b) Comply with the ~~approved proposal~~ ANNUAL OPERATING AGREEMENT.

(b c) Utilize fully qualified and competent instructors, CONSISTENT WITH THE REQUIREMENTS OF THE POLICIES AND PROCEDURES MANUAL.

(d) DELIVER THE COMPLETE APPROVED COURSE OF STUDY DURING EACH APPROVED ACADEMY SESSION.

(e e) ~~Comply~~ OPERATE IN COMPLIANCE with the COMMISSION'S POLICIES AND procedures. ~~established pursuant to R 28.14311.~~

~~R 28.4356~~ R 28.14307 ~~Council approval~~ APPROVAL of individual EACH basic police LAW ENFORCEMENT training program ACADEMY SESSION required.

RULE 6 307. (1) A city, county, township, village, CORPORATION, COLLEGE, community college, university, or state agency approved by the ~~council~~ COMMISSION as a basic police LAW ENFORCEMENT training school ACADEMY shall ~~have written council REQUEST COMMISSION approval IN WRITING AND RECEIVE APPROVAL before initiating an individual EACH basic police LAW ENFORCEMENT training program SESSION.~~

~~R 28.4355~~ R 28.14308 Notice of change in structure or content of program; ~~council~~ COMMISSION approval required.

Rule 5 308. (1) The ~~training director~~ PROGRAM ADMINISTRATOR of A ~~an approved~~ basic LAW ENFORCEMENT training school ACADEMY OR A PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY shall notify the ~~council~~ COMMISSION, not less than ~~40~~ 90 days before the start of a new ~~class~~ SESSION, of any change in the structure or content of the ~~council-approved~~ COMMISSION APPROVED program PROPOSAL that would affect the information required in ~~R 28.4353(2).~~ R 28.14303.

(2) THE TRAINING DIRECTOR OF A BASIC LAW ENFORCEMENT TRAINING ACADEMY OR A PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY SHALL NOTIFY THE COMMISSION, NOT LESS THAN 10 DAYS BEFORE THE START OF A NEW SESSION, OF ANY CHANGE IN THE STRUCTURE OR CONTENT OF THE ANNUAL OPERATING AGREEMENT.

(2 3) Written ~~council~~ COMMISSION approval OF THE CHANGE shall be obtained before implementing a change.

~~R 28.4357~~ R 28.14309 Revocation of ~~council~~ COMMISSION approval; probation.

Rule 7 309. (1) A violation of these rules or A deviation from the approved program PROPOSAL OR THE ANNUAL OPERATING AGREEMENT by an approved basic LAW ENFORCEMENT training school ACADEMY that is documented by the ~~council~~ COMMISSION ~~constitutes cause to revoke approval as a basic LAW ENFORCEMENT training school~~ MAY CONSTITUTE CAUSE FOR THE EXECUTIVE DIRECTOR TO DO ANY OF THE FOLLOWING before, during, or after any ~~class~~ SESSION.

(a) REVOKE THE APPROVAL AS A BASIC LAW ENFORCEMENT TRAINING ACADEMY.

(b) SUSPEND AN ACADEMY FROM OPERATING UNTIL SPECIFIED TERMS AND CONDITIONS ARE MET.

(c) PLACE AN ACADEMY ON PROBATION FOR A SPECIFIC PERIOD OF TIME OR UNTIL SPECIFIED TERMS AND CONDITIONS ARE MET.

(2) ~~The council may place an approved school on probation for a specific time frame instead of revoking approval~~ THE PLACEMENT OF AN APPROVED BASIC LAW ENFORCEMENT TRAINING ACADEMY INTO A STATUS AS SET FORTH IN SUBRULE (1) OF THIS RULE SHALL RESULT IN THE FOLLOWING.

(a) REVOCATION OF APPROVAL SHALL BE IMMEDIATE CAUSE TO STOP ANY AND ALL ACTIVITIES RELATING TO THE OPERATION OF A BASIC LAW ENFORCEMENT ACADEMY, REGARDLESS OF ANY ACTIVE RECRUIT SESSIONS, AND THE ACADEMY SHALL NOT BE ELIGIBLE FOR REINSTATEMENT WITHOUT SUBMISSION AND APPROVAL OF AN APPLICATION PURSUANT TO R 28.14302 AND R 28.14303. THE COMMISSION MAY AUTHORIZE REMEDIAL ACTION TO MINIMIZE THE IMPACT ON RECRUITS.

(b) SUSPENSION FROM OPERATING SHALL BE IMMEDIATE CAUSE TO STOP ANY AND ALL ACTIVITIES RELATING TO THE OPERATION OF A BASIC LAW ENFORCEMENT ACADEMY, REGARDLESS OF ANY ACTIVE RECRUIT SESSIONS, AND THE ACADEMY SHALL NOT BE ELIGIBLE FOR REINSTATEMENT UNTIL SPECIFIED TERMS AND CONDITIONS SET FORTH BY THE COMMISSION OR THE EXECUTIVE COMMITTEE ARE MET. FAILURE TO MEET THE SPECIFIED TERMS AND CONDITIONS MAY RESULT IN FURTHER SUSPENSION OR REVOCATION OF THE ACADEMY. THE COMMISSION MAY AUTHORIZE REMEDIAL ACTION TO MINIMIZE THE IMPACT ON RECRUITS.

(c) AN APPROVED BASIC LAW ENFORCEMENT TRAINING ACADEMY PLACED INTO A STATUS OF PROBATION SHALL BE ALLOWED TO CONTINUE OPERATION, INCLUDING ANY ACTIVE RECRUIT SESSIONS, PROVIDED THAT SPECIFIED TERMS AND CONDITIONS SET FORTH BY THE COMMISSION ARE MET. FAILURE TO MEET THE SPECIFIED TERMS AND CONDITIONS MAY RESULT IN SUSPENSION OR REVOCATION OF THE ACADEMY.

~~R 28.4358~~ R 28.14310 ~~Approved basic~~ BASIC LAW ENFORCEMENT training schools ACADEMY; right to appeal denials, revocations, and probations DENIAL, REVOCATION, SUSPENSION, OR PROBATION.

Rule 8 310. (1) ~~Approved~~ A basic LAW ENFORCEMENT training schools ACADEMY shall have standing to appeal ~~denials, revocations, and probations~~ A DENIAL, REVOCATION, SUSPENSION, OR PROBATION to the ~~council~~ COMMISSION within 3 WORKING days of the original notice.

(2) ~~Council decisions on appeals are binding~~ A DECISION BY THE FULL COMMISSION IS FINAL. THE EXECUTIVE COMMITTEE SHALL ACT ON BEHALF OF THE COMMISSION IF THE COMMISSION IS NOT SCHEDULED TO MEET WITHIN 5 BUSINESS DAYS OF AN ACTION TAKEN UNDER THE PROVISIONS OF R 28.14309.

~~R 28.4359~~ R 28.14311 Publication and revision of policies and procedures manual required.

Rule 9 311. (1) The ~~council~~ COMMISSION shall prepare and publish a ~~basic training program~~ policies and procedures manual which is ARE consistent with these rules and which shall govern the implementation, administration, and evaluation of recruit training at AN approved basic LAW ENFORCEMENT training ~~schools~~ ACADEMY. THE POLICIES AND PROCEDURES SHALL BE PART OF THE POLICIES AND PROCEDURES MANUAL PUBLISHED PURSUANT TO R 28.14210.

(2) The policies and procedures manual shall ~~describe or state all of~~ ADDRESS the following:

~~(a) Minimum basic LAW ENFORCEMENT training requirements.~~

~~(b a) Curriculum.~~

~~(e b) Courses of study.~~

~~—(d) Training course.~~

(c) BASIC LAW ENFORCEMENT TRAINING ACADEMY OPERATING REQUIREMENTS.

(d) OTHER TOPICS DEEMED APPROPRIATE BY THE COMMISSION.

~~(e) Instructor qualifications promulgated by the council.~~

~~(3) The council shall periodically review the items specified in subrule (2) of this rule to ensure that they are in compliance with existing legislation or current knowledge and technology.~~

~~(4-3) The course of study~~ POLICIES AND PROCEDURES shall be revised by the ~~council~~ COMMISSION when it determines THERE IS a need to modify, update, increase, or delete any part of the curriculum, ~~course of study, course~~ TRAINING objectives, or ~~instructor qualifications~~ ANY OTHER PROVISION OF THE POLICIES AND PROCEDURES.

~~R 28.4360~~ R 28.14312 Minimum basic police LAW ENFORCEMENT training curriculum.

Rule ~~40~~ 312. (1) THE COMMISSION SHALL PUBLISH THE BASIC LAW ENFORCEMENT TRAINING CURRICULUM.

(2) AN approved basic LAW ENFORCEMENT training ~~schools~~ ACADEMY shall teach the ~~minimum~~ course for study ~~promulgated~~ APPROVED by the ~~council~~ COMMISSION.

(3) ALL ENROLLED RECRUITS SHALL BE PROVIDED WITH OR PROVIDED ACCESS TO THE CURRICULUM.

~~R 28.4361 Utilization and publication of basic law enforcement training objectives.~~

~~—Rule 11. (1) Approved basic training schools shall teach to the course objectives established by the council.~~

~~—(2) The course of study shall be published by the council.~~

~~R 28.4362 Utilization and publication of law enforcement firearms assessment criteria required.~~

~~—Rule 12. (1) Approved basic training schools shall utilize the law enforcement firearms assessment criteria established by the council.~~

~~—(2) The law enforcement firearms assessment criteria shall be published by the council.~~

R 28.14313 ACADEMY ENROLLMENT; COMPLIANCE WITH STANDARDS; DEADLINES.

RULE 313. (1) AN APPLICATION FOR ENROLLMENT IN A COMMISSION APPROVED ACADEMY SHALL BE COMPLETED USING THE FORMS AND IN THE MANNER PRESCRIBED BY THE COMMISSION.

(2) ALL PROSPECTIVE ENROLLEES IN A REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMY SESSION OR A PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY SHALL BE SCREENED FOR AND DEMONSTRATE COMPLIANCE WITH THE SELECTION AND EMPLOYMENT STANDARDS IN R 28.14202(a) TO (g) AND R 28.14203 NO LATER THAN 5 BUSINESS DAYS PRIOR TO THE START OF AN ACADEMY SESSION OR A PRESERVICE COLLEGE PROGRAM.

(3) THE APPLICANT SHALL TO BE EXAMINED TO DETERMINE THAT THE APPLICANT MEETS THE STANDARDS SET FORTH IN R 28.14203. A DECLARATION OF THE APPLICANT'S MEDICAL HISTORY SHALL BE MADE AVAILABLE TO THE EXAMINING PHYSICIAN AND SHALL BECOME A PART OF THE BACKGROUND INVESTIGATION.

(4) THE APPLICANT SHALL BE FINGERPRINTED AND A SEARCH MADE OF APPROPRIATE STATE AND FEDERAL FINGERPRINT FILES TO DISCLOSE ANY CRIMINAL RECORD WITHIN 180 DAYS PRIOR TO THE START OF AN ACADEMY.

(5) AN ORAL INTERVIEW SHALL BE CONDUCTED TO DETERMINE THE APPLICANT'S SUITABILITY FOR A LAW ENFORCEMENT OFFICER POSITION AND TO ASSESS APPEARANCE, BACKGROUND, AND THE ABILITY TO COMMUNICATE.

(6) A PROSPECTIVE ENROLLEE IN AN AGENCY OR REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMY SESSION SHALL TAKE AND PASS THE COMMISSION'S PRE-ENROLLMENT PHYSICAL FITNESS EXAMINATION PRIOR TO, BUT NO SOONER THAN 6 MONTHS BEFORE THE START OF THE SESSION. A PROSPECTIVE ENROLLEE IN A PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY SHALL TAKE AND PASS THE COMMISSION'S PRE-ENROLLMENT PHYSICAL FITNESS EXAMINATION PRIOR TO, BUT NO SOONER THAN 6 MONTHS PRIOR TO TAKING THE PHYSICAL FITNESS COURSE THAT IS PART OF THE APPROVED PRESERVICE COLLEGE COURSES.

(7) THE RESULTS OF THE SELECTION AND STANDARDS SCREENING SHALL BE SUBMITTED TO THE COMMISSION USING MCOLES INFORMATION AND TRACKING NETWORK NO LATER THAN 5 BUSINESS DAYS PRIOR TO THE START OF AN ACADEMY SESSION OR A PRESERVICE COLLEGE PROGRAM. EXCEPTIONS AND COMMENTS MADE BY THE EXAMINING PHYSICIAN, AN INVESTIGATOR, OR OTHER INDIVIDUAL ON SOURCE DOCUMENTS SHALL BE INCLUDED IN THE MCOLES INFORMATION AND TRACKING NETWORK REPORTING.

(8) A RECRUIT WHO IS NOT IN FULL COMPLIANCE WITH THE SELECTION AND EMPLOYMENT STANDARDS SHALL NOT PARTICIPATE IN ANY RECRUIT TRAINING OR BE ENROLLED BY THE COMMISSION. ANY PARTICIPATION IN

AN ACADEMIC COURSE AT A PRESERVICE COLLEGE TRAINING ACADEMY WITHOUT FIRST HAVING COMPLIED WITH THIS RULE SHALL NOT COUNT TOWARD COMPLETION OF THE COURSE OF STUDY.

(9) UPON ENROLLMENT, THE RECRUIT SHALL EXECUTE THE COMMISSION'S AFFIDAVIT.

~~R-28.4363~~ R 28.14314 RECRUIT requirements for successful completion of the course of study; effective date of subrule (2) (e).

Rule ~~43~~ 314. ~~(1)~~ To successfully complete the prescribed course of study, a recruit shall ~~do all of the following:~~ COMPLY WITH ALL OF THE ATTENDANCE AND ACADEMIC REQUIREMENTS IN THE COMMISSION'S POLICIES AND PROCEDURES.

~~—(a) Attend and participate in 90% of the approved course of study, unless otherwise stated in this rule.~~

~~—(b) Attend and participate in 100% of the classroom portion of the council approved firearms, defensive tactics, emergency vehicle operations, and first aid training.~~

~~—(c) Attend and participate in 90% of the range/practical application portions of the council approved firearms, defensive tactics, emergency vehicle operations, and first aid training.~~

~~—(d) Attain a passing score on the practical skill assessment examinations covering firearms, defensive tactics, emergency vehicle operations, and first aid training.~~

~~—(e) Attain a passing score of not less than 70% on a written examination addressing the cognitive objectives established by the council in firearms, defensive tactics, emergency vehicle operations, and first aid training.~~

~~—(f) Possess an American red cross first aid card.~~

~~—(g) Attain a passing score of not less than 70% on an examination covering the criminal law and procedures objectives and attain a passing score of an average of not less than 70% on all, but not less than 5, examinations addressing course objectives, excluding firearms, first aid, defensive tactics, and emergency vehicle operations.~~

~~—(h) Meet the minimum requirements established by an approved basic training school for optional and additional courses that are a part of the prescribed course of study approved by the council.~~

~~—(2) In addition to the requirements of subrule (1) of this rule, a preservice recruit shall do all of the following:~~

~~—(a) Be fingerprinted on a Michigan state applicant card and on a federal bureau of investigation applicant card. The fingerprint cards are to be submitted to the council for a criminal record search.~~

~~—(b) Possess an associate or baccalaureate degree from an accredited college or university at the time of completion of the basic training program. This requirement shall take effect September 1, 1995.~~

~~—(c) Authorize the community college or university to release to the council the preservice recruit's records pertaining to the enrollment application and academic transcripts.~~

~~—(d) Meet all current selection and employment standards in R 28.4102 AND 28.4102A at the time of employment as a law enforcement officer.~~

(e) Be employed as a law enforcement officer within two years of completing the basic training program. A basic training school graduate who is not employed within 1 year of completing the basic training program shall, before employment, attain a passing score on examinations assessing the candidate's competence in courses established by the council.

R 28.14315 PRESERVICE AND PRESERVICE COLLEGE RECRUIT REQUIREMENTS.

RULE 315. (1) IN ADDITION TO THE REQUIREMENTS OF R 28.14314, PRESERVICE AND PRESERVICE COLLEGE RECRUITS SHALL DO THE FOLLOWING:

(a) MEET AND MAINTAIN COMPLIANCE WITH THE SELECTION AND EMPLOYMENT STANDARDS IN R 28.14202 (a) TO (g) AND ALL OF THE STANDARDS IN R 28.14203.

(b) GRADUATE FROM AN ASSOCIATE OR BACCALAUREATE DEGREE PROGRAM AT AN ACCREDITED COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY AND HAVE BEEN AWARDED EITHER AN ASSOCIATE OR BACCALAUREATE DEGREE BEFORE EMPLOYMENT AS A LAW ENFORCEMENT OFFICER. PRESERVICE RECRUITS SHALL POSSESS EITHER AN ASSOCIATE OR BACCALAUREATE DEGREE BEFORE RECOGNITION OF THE COMPLETION OF THE REGIONAL BASIC LAW ENFORCEMENT TRAINING ACADEMY AND ELIGIBILITY FOR LICENSING.

(c) AT THE TIME OF EMPLOYMENT COMPLY WITH ALL OF THE SELECTION AND EMPLOYMENT STANDARDS IN R 28.14202 AND R 28.14203.

(2) A GRADUATE WHO IS NOT EMPLOYED AS A LAW ENFORCEMENT OFFICER WITHIN 1 YEAR OF COMPLETION OF A PRESERVICE OR PRESERVICE COLLEGE BASIC LAW ENFORCEMENT TRAINING ACADEMY SHALL, BEFORE EMPLOYMENT, COMPLY WITH THE REQUIREMENTS OF THE RECOGNITION OF PRIOR TRAINING AND EXPERIENCE PROGRAM FOUND AT R 28.14401, ET SEQ., OF THESE RULES. THE EXECUTIVE DIRECTOR MAY EXTEND THE TIMELINES IN THIS SUBRULE BY NO MORE THAN 90 DAYS WHEN A RE-EXAMINATION PURSUANT TO R 28.14203(g) SO REQUIRES.

R 28.14316 PRESERVICE COLLEGE RECRUIT REQUIREMENTS.

RULE 316. IN ADDITION TO THE REQUIREMENTS IN R 28.14314 AND R 28.14315, A PRESERVICE COLLEGE RECRUIT SHALL COMPLY WITH ALL OF THE FOLLOWING REQUIREMENTS.

(a) MEET THE REQUIREMENTS ESTABLISHED BY THE COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY FOR ENROLLMENT IN ITS APPROVED PRESERVICE COLLEGE BASIC TRAINING ACADEMY.

(b) COMPLETE THE COMMISSION APPROVED PRESERVICE COLLEGE BASIC TRAINING COURSE OF STUDY WITHIN A 1-YEAR PERIOD.

(c) ATTAIN A SATISFACTORY GRADE IN ALL PRESERVICE COLLEGE COURSES, AS EVIDENCED BY AN OFFICIAL ACADEMIC TRANSCRIPT.

(d) PASS THE LICENSING EXAM WITHIN 1 YEAR OF COMPLETION OF THE COURSE OF STUDY.

~~R 28.4364~~ R 28.14317 Certificates; issuance PROHIBITED.

Rule 14 317. ~~(1) The council shall issue a basic law enforcement certificate to an employed recruit, if the recruit was properly enrolled in an approved class and the recruit successfully completed the prescribed course of study.~~

~~(2) AN approved basic LAW ENFORCEMENT training schools ACADEMY shall not issue basic law enforcement training certificates.~~

~~R-28.4365~~ R 28.14318 Recruit dismissals; appeal GROUNDS.

Rule ~~45~~ 318. (1) THE TRAINING DIRECTOR SHALL HAVE THE AUTHORITY TO DISMISS AN enrolled recruits RECRUIT ~~may be dismissed~~ from a BASIC LAW ENFORCEMENT training program ~~by the training director~~ ACADEMY.

~~(2) The failure to do either of the following is cause for dismissal:~~

~~—(a) Successfully complete the prescribed course of study established in R 28.4363 or R 28.4309, as applicable.~~

~~—(b) Comply with council and school rules and regulations.~~

~~—(3) The failure by an employed recruit to do either of the following is cause for dismissal:~~

~~—(a) Maintain employment with a law enforcement agency during the basic training program.~~

~~—(b) Maintain minimum employment standards established in R 28.4102 AND 28.4102A during the basic training program.~~

~~—(4) Employers may appeal dismissals to the school and the council.~~

~~—(5) Students shall have standing to appeal dismissals to the school and the employer and to appeal to the council on matters relating to violations of council rules.~~

~~—(6) Council decisions on appeals are binding.~~

(2) THE TRAINING DIRECTOR SHALL DO THE FOLLOWING, AFTER INVESTIGATION AND CONSULTATION WITH THE COMMISSION.

(a) DISMISS AN ENROLLED RECRUIT FOR FAILURE TO COMPLY WITH OR SUCCESSFULLY COMPLETE THE REQUIREMENTS IN R 28.14314, R 28.14315, AND R 28.14316, AS APPLICABLE.

(b) DISMISS AN EMPLOYED RECRUIT FOR FAILURE TO DO EITHER OF THE FOLLOWING.

(i) MAINTAIN EMPLOYMENT WITH A LAW ENFORCEMENT AGENCY DURING THE BASIC LAW ENFORCEMENT TRAINING ACADEMY.

(ii) MAINTAIN THE MINIMUM SELECTION AND EMPLOYMENT STANDARDS IN R 28.14202 (a) TO (f) AND 28.14203 DURING THE BASIC LAW ENFORCEMENT TRAINING ACADEMY.

(3) THE TRAINING DIRECTOR MAY DISMISS AN ENROLLED RECRUIT AFTER INVESTIGATION AND CONSULTATION WITH THE COMMISSION FOR FAILURE TO COMPLY WITH ACADEMY RULES AND REGULATIONS, OR COMMISSION POLICIES AND PROCEDURES.

(4) AN AGENCY LAW ENFORCEMENT BASIC TRAINING ACADEMY MAY DISMISS AN EMPLOYED RECRUIT FOR REASONS UNRELATED TO SUBRULES (2) AND (3) OF THIS RULE WITHOUT CONSULTATION WITH THE COMMISSION. NOTICE SHALL BE GIVEN TO THE COMMISSION OF THE DISMISSAL AND THE REASON FOR THE DISMISSAL.

(5) THE COMMISSION RESERVES THE RIGHT TO INVESTIGATE AND DISMISS A RECRUIT BASED ON VIOLATIONS OF THE COMMISSION'S POLICIES AND

PROCEDURES OR THE ACADEMY'S RULES AND REGULATIONS AS APPROVED IN THE ANNUAL OPERATING AGREEMENT.

R 28.14319 RECRUIT DISMISSALS; APPEAL; FINAL DECISION.

RULE 319. (1) A RECRUIT DISMISSAL MAY BE APPEALED ONLY AS FOLLOWS.

(a) AN EMPLOYER MAY APPEAL A DISMISSAL OF AN EMPLOYED RECRUIT TO THE COMMISSION.

(b) A DISMISSED EMPLOYED RECRUIT SHALL NOT HAVE STANDING TO APPEAL THE DISMISSAL TO THE COMMISSION.

(c) A COMMISSION DECISION ON APPEAL IS FINAL

(2) A PRESERVICE OR PRESERVICE COLLEGE RECRUIT MAY APPEAL A DISMISSAL TO THE EXECUTIVE DIRECTOR, WHOSE DECISION IS FINAL.

~~**R 28.4366 Minimum classroom requirements.**~~

~~Rule 16. Classrooms that are used by a basic LAW ENFORCEMENT training school for training recruits shall provide all of the following:~~

~~—(a) Sufficient seats or learning areas AND HOUSING, IF APPROPRIATE, to accommodate every student.~~

~~—(b) Noise barriers.~~

~~—(c) Climate controls.~~